

2 **REMARKS**

3 An RCE is respectfully requested.

4 Entry of Applicants Amendment and response of July 13, 2007 is respectfully requested.

5 The above amendments are to the amended claims of that action.

6 Reconsideration of the application in view the following remarks is respectfully requested.

7 Claims 1, 3-4, 6, 8, 11-12, 21-27, 29-33 are pending in this application. The independent  
8 claims have been amended.

9 Examiner states, in error, that "Applicant argues that the prior art does not mention or  
10 suggest "voice communication". Then Examiner then points out a section of Mattaway.  
11 However, Applicant argued in the communication of Jan. 9, 2007

12 "McLaughlin does not mention or suggest in his disclosure that his method be applied to  
13 voice communications, other than to suggest that a voice may be turned into text for delivery to a  
14 deaf person. One of skill in the art of internet voice communications would not then combine  
15 McLaughlin with any other reference and hence McLaughlin may not be used in a Section 35  
16 U.S.C. 103(a) rejection."

17 Applicant argued only that Mclaughlin should not be considered prior art, and that  
18 Examiner was in error in citing McGlaughlin as voice communication prior art .

19 Examiner may in fact hold the opinion that Mclaughlin should be considered a prior art  
20 document, but Examiner should not quote another document in upholding the rejection, and  
21 instead should address the issue raised by Applicant.

22 In addition, Examiner failed to respond to any of the points in the three paragraphs  
23 following the above quotation. In particular, using a search program to find the word "icon", and  
24 quoting that section in the rejection, does not address Applicants statement that McGlaughlin does  
25 not show or suggest clicking on an icon or ad to place a voice telephone call.

26 In view of the above paragraphs, Applicant therefore respectfully requests that Examiner  
27 lift the finality of the rejection.

28 Computer search of the PTO web site file of Mattaway patent finds no mention of "ad"  
29 or "adverti". Computer search of the PTO web site file of the McGlaughlin provisional  
30 application 60/ 135899 file 5/26/99 finds no mention of "ad" or "adverti". As noted in the prior  
31 response and amendment .

32 "Examiner states on p 4 item 10 of the office action, in error, that McLaughlin discloses  
33 "The method of claim 8 wherein a single click on an ad contained in the web page connects a  
34 telephone call." The word "advertised" appears in the sentence "For example, a service entity  
35 may rent a phone number to the ABC Company. In other words, the phone number rings to the  
36 service entity, but the number is advertised as belonging to the ABC Company." There is no  
37 suggestion to click on an ad. This is the only example turned up in a search of both the prior art  
38 documents cited for "ad" or "advert". Thus, neither reference cited mentions or suggests "a  
39 single click on an ad".

40 Examiner states that the number is "advertised" as belonging to the ABC company.  
41 Applicant fails to understand how a number can be an advertisement.

42 As noted in the prior communication, even if McGlaughlin were to be accepted as a prior  
43 art document in the field of the present application, the filing date of McGlaughlin is less than one  
44 year prior to the present application filing date, and Applicant can swear behind the patent  
45 application. The provisional patent application, filed more than one year prior to the present  
46 application date, can not be sworn behind, but has no mention whatsoever of ad or advertisement.

47 Applicant has amended the claims, without prejudice, to include clicking on an  
48 advertisement in a GUI, which advertisement is stored in the client computer.

49 Thus, the independent claims of the present application (as amended) are patentable on  
50 102 grounds over Mattaway. The claims are also patentable over a combination of Mattaway  
51 and McGlaughlin. All dependent claims are likewise patentable. In addition, the dependent  
52 claims are patentable over their independent claims.

53 An extension of time for filing a reply in the above identified application from 7/13/07 to  
54 8/13/07 is respectfully requested under 37 CFR 1.17. An additional fee is required. The required  
55 fees and any insufficiency or overage (except issue fees) may be debited or credited to deposit  
56 account 08/2240.

57 On the basis of the above amendments and remarks, reconsideration of this application  
58 and its early allowance is respectfully requested.

Respectfully,

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